

8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) Criminal No. 08CR2369-BEN  
11 Plaintiff, ) CONSENT TO RULE 11 PLEA IN A  
12 v. ) FELONY CASE BEFORE UNITED  
13 LUIS ANDRES HERNANDEZ, ) STATES MAGISTRATE JUDGE,  
14 Defendant. ) WAIVER OF PRESENTENCE REPORT  
15 ) AND WAIVER OF OBJECTIONS FOR  
IMMEDIATE SENTENCING

16 I have been advised by my attorney and by the United States  
17 Magistrate Judge of my right to enter my plea in this case before  
18 a United States District Judge. I hereby declare my intention to  
19 enter a plea of guilty in the above case, and I request and  
20 consent to have my plea taken by a United States Magistrate Judge  
21 pursuant to Rule 11 of the Federal Rules of Criminal Procedure.

22 I understand that if my plea of guilty is taken by the  
23 United States Magistrate Judge, and the Magistrate Judge  
24 recommends that the plea be accepted, the assigned United States  
25 District Judge will then decide whether to accept or reject any  
26 plea agreement I may have with the United States and will  
27 adjudicate guilt and impose sentence.

28 I further understand that due to my request for immediate

1 sentencing in this case, I am waiving the preparation of a  
2 presentence report and I am also waiving any objections I may  
3 have to the Magistrate Judge's findings and recommendation  
4 concerning the entry of my guilty plea.

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7 Dated: 07/28/2008

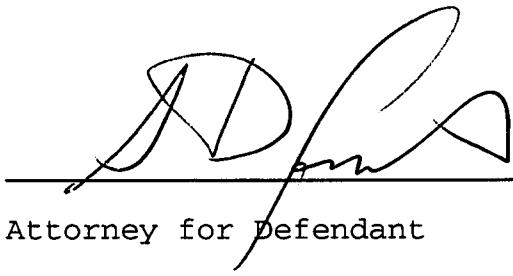
  
LUIS ANDRES HERNANDEZ  
Defendant

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11 Dated: 07/28/2008

  
Attorney for Defendant

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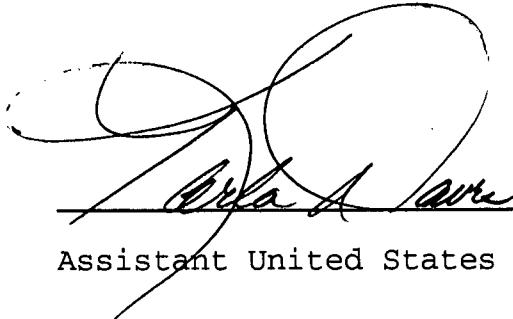
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14 The United States Attorney consents to have the plea in this  
15 case taken by a United States Magistrate Judge pursuant to  
16 Criminal Local Rule 11.2 and further waives a presentence report  
17 in this case as well as any objections to the Magistrate Judge's  
18 findings and recommendation concerning the entry of the guilty  
19 plea.

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22 Dated: 07/28/2008

  
Assistant United States Attorney

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